

030804

16523 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

PHLV0768-001

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Marilyn Geninatti, entitled Rock Climbing Machinery, for a(n):

(X) Original Patent Application.

( ) Continuing Application (prior application not abandoned):

- ( ) Continuation ( ) Continuation-in-part (CIP)  
( ) Divisional ( ) Request for Continuing Examination  
of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_  
( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification; 10 Total Pages. (X) Drawing(s); 5 Total Sheets.  
(X) Oath or Declaration:  
(X) A Newly Executed Combined Declaration and Power of Attorney:  
(X) Signed. ( ) Unsigned. ( ) Partially Signed.  
( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.  
( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).  
( ) Power of Attorney. (X) Return Receipt Postcard.  
( ) Associate Power of Attorney. (X) A Check in the amount of \$385.00 for the Filing Fee.  
( ) Preliminary Amendment. (X) Information Disclosure Statement and Form PTO-1449.  
( ) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.  
( ) A Certified Copy of Priority Documents (if foreign priority is claimed).  
(X) Applicant claims small entity status.  
(X) Other: Request for Non-Publication

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	19	0	\$9.00	\$ 0.00
Independent Claims	3	0	\$43.00	\$ 0.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$ 385.00
Total Filing Fee				\$ 385.00

Charge \$ \_\_\_\_\_ to Deposit Account 502085 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,

By: Lance C. Venable  
Lance C. Venable, Attorney of Record, Reg. No.41361

Date: 3/8/04

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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

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10/796869

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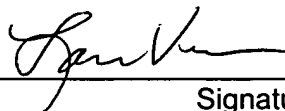
<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Geninatti
	Title	Rock Climbing Machinery	
	Attorney Docket Number		PHLV0768-001

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3/8/04

Date



Signature

602-631-9100

Telephone number

Lance C. Venable

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marilyn R. Geninatti  
Filed: Simultaneously Herewith  
Serial No.:  
For: ROCK CLIMBING MACHINERY  
Atty. Docket No.: PHLV0768-001

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

"Express Mail" mailing label number:

EV269353541US

Date of Deposit: 3/8/04

I hereby certify that the attached U.S. Patent Application, informal drawings, fee, transmittal letter, Declaration of Small Entity Status, and Declaration and Power of Attorney are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PRINTED NAME LANCE VENABLE

Signature 